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The only reason that it is an insurance issue if that we buy insurance to protect ourselves against the possibility of our negligence. This is a need. This is not an insurance issue specifically. This is something we are putting on every individual citizen in the state of Nebraska who drives an automobile. Senator Mills has also indicated that drunkenness is the definition of gross liability and I will quote from the statutes. "There is no fixed rule for the ascertainment of what is gross negligence. An issue concerning gross negligence under the guest statutes must be decided on the particular facts and circumstances of each case." If we take away this statute, we will open up the possibility of litigation on a lot of minor type instances that we do not have now. Now whether this litigation is adjudicated in favor or against the plaintiff, the fact is that this litigation still requires expenditure to process. I would suggest that the state is faced with the very same problem right now in the area of malpractice, but the tables are turned. We are trying to get tightening of the malpractice statutes. Here we are trying to open up the statutes on liability and I would suggest in five years we will be back in this Chamber on the same discussion on automobile liability that we are in here today or will be in this session on the problem of malpractice. It is easy to throw stones and criticize and castigate the insurance companies but they are only providing a service we need and we are just increasing the service that they are going to have to provide by taking away this guest statute. Thank you.

PRESIDENT: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, having been in this business for several years, I am a little bit acquainted with the guest statute also, but I wanted to just make a remark or two about this gross negligence. It has been stated by Senator Mills that drunkenness is the only thing that is gross negligence. This is not true. Willful reckless driving, correction, reckless driving have been determined by judges recently to be gross negligence. Now I agree that perhaps the cost of liability is considerable now and Senator Mills says that we will only have a 10% increase. I think if I were insured and you were insured, and the 10% would be the ultimate amount of increase, we would probably go along with this, but we have no reason at all to believe this. As pointed out by Senator Dworak, it isn't just a matter of having a few more claims. Everytime somebody is injured in your car, it invites people to file a claim, to file a lawsuit, and this is where our expenses arise. Just as has been brought out before, we are trying to put the brakes on medical malpractice now and here we are opening it up to this. I really think this is a serious situation and we shouldn't pass over it lightly. It would be a mecca for attorneys, probably, and invite many cases. We haven't had a chance yet to find this out as to how it is working in other states. If it has, I haven't heard about it. I understand some are trying it now. I would really urge you to look at this seriously and not vote on it lightly.